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| CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210 | | | EXAMINER PHAM, MICHAEL | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/627,191 | Applicant(s) NEWMAN ET AL. | |
| | Examiner Michael D. Pham | Art Unit 2167 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Status of Claims

1. Claims 1-21 are pending.

Specification

2. Prior objections to specifications are respectfully withdrawn.

Claim Objections

3. Prior claim objections are respectfully withdrawn.

Claim Rejections - 35 USC § 101

4. Prior 101 rejections for 12-19 are respectfully withdrawn.

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 20-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106.01:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

In this case, claim 21 recites a database management system to effect the steps. The system claimed is purely software, and does not positively claim the computer or any hardware. Accordingly, the claims fail to contain a computer that is used to implement the system so as to realize its functionality.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6295527 by McCormack et. al. (hereafter McCormack) further in view of U.S. Patent 6098067 by Erickson (hereafter Erickson).

Claim 1:

McCormick discloses following claimed limitations:

“B. including, in a group mapping table, one or more fields for the primary grouping criteria and one or more fields for the secondary grouping criteria, and including in those fields, in respective table records, values corresponding to the selected computer profile data that are utilized in the primary grouping and the secondary grouping criteria;”

McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value. col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Hence, McCormick suggests “B. including, in a group mapping table” (group filter criteria table) “, one or more fields for the primary grouping criteria and one or more fields for the secondary grouping criteria” (The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type (could be first grouping criteria), and filter value (could be second grouping criteria)) “, and including in those fields, in respective table records, values corresponding to the selected computer profile data that are utilized in the primary grouping and the secondary grouping criteria” (using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the

members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group).

“C. further including, in the respective table records, information that identifies the groups to which the computers that satisfy the primary and secondary criteria are assigned;”

McCormick discloses col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Hence, McCormick suggests “C. further including, in the respective table records, information that identifies the groups to which the computers that satisfy the primary and secondary criteria are assigned”(using this structure, a user can establish a descriptive name for a group of devices).

“D. receiving, for inclusion in the database, computer profile data from a plurality of computers;”

McCormick discloses col. 11 lines 5-7 inventory polling process periodically polls the network, receives information about the network devices, and stores values derived from that information in a column of managed device table.. Hence, McCormick suggests “D. receiving, for inclusion in the database, computer profile data from a plurality of computers” (stores network device information)

“E. for the profile data from a given computer

Extracting the selected profile data that are utilized in the primary groupings and the secondary groupings,

querying the group mapping table to determine if the extracted profile data correspond to the respective values that are included in the primary grouping fields and the secondary grouping fields in any of the records in the table, and

if the query results in no records, assigning the computer to a default group,

if the query results in one table record, assigning the computer to the group that is named in the record,

if the query results in multiple table records that include secondary low values, assigning the computer to the group that is named in the record that is in a first predetermined position in the order in which the records are returned, or

if the query results in multiple records and there are no corresponding secondary low values in the records, assigning the computer to the group that is named in the record that is in a second predetermined position in the order in which the records are returned; and”

McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest for the profile data from a given computer “Extracting the selected profile

data that are utilized in the primary groupings and the secondary groupings” (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information), “querying the group mapping table to determine if the extracted profile data correspond to the respective values that are included in the primary grouping fields and the secondary grouping fields in any of the records in the table” (col. 12 lines 16-21, applies query) and, “if the query results in one table record, assigning the computer to the group that is named in the record” (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

“F. manipulating the data from the database to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups”

McCormick discloses col. 16 lines 38-48, displaying a view of selected network devices. Col. 17 lines 10-15, information about the devices in group is displayed to the user. Preferably, the information is organized in a tabular format. Hence, McCormick suggests “F. manipulating the data from the database to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups” (displays group information to user).

However, McCormick does not explicitly disclose

“A. determining a multiple node tree structure of groups for the computers based on primary grouping criteria and secondary grouping criteria that correspond to selected computer profile data;”

And

“a sub-tree with the given group as its root”

However, Erickson discloses the following claimed limitations:

“A. determining a multiple node tree structure of groups for the computers based on primary grouping criteria and secondary grouping criteria that correspond to selected computer profile data;”

And

“a sub-tree with the given group as its root”

Erickson discloses figure 5 the elements within 501 disclose a multiple node tree structure of groups for computers. Further disclosing col. 2 lines 10-11, when executed upon a selected node, the file management system of the present invention applies the actions and variables. Hence, Erickson suggests “A. determining a multiple node tree structure of groups for the computers” (figure 5 elements within 501) “based on primary grouping criteria and secondary grouping criteria that correspond to selected computer profile data” (arranged such that they are based on actions (could be first criteria) and variables (could be second criteria)). And “a sub-tree with the given group as its root” (figure 5).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure of figure 5 the elements within 501 disclose a multiple node tree structure, where a selected node, the file management system of the present invention applies the actions and variables to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 2:

McCormack discloses "wherein one or more table records includes secondary grouping values set to NULL" (col. 10 line 41, Null filter values are possible).

Claim 3:

McCormack discloses "wherein the respective values associated with the primary grouping criteria are ranges and the step of determining if the extracted data correspond to the respective values further includes determining if the corresponding extracted data falls within one of the primary grouping ranges" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled.).

Claim 4:

McCormack discloses "wherein the values associated with the secondary grouping criteria are ranges and the step of determining if the extracted data correspond to the values further includes determining if the corresponding extracted data of interest falls within one of the secondary

grouping ranges” (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled.).

Claim 5:

McCormack discloses “wherein the step of querying further includes determining if the extracted data corresponds to the primary grouping criteria and a secondary low value of NULL or the empty string” (col. 10 line 41, Null filter values are possible).

Claim 6:

McCormack discloses “The method of claim 1 wherein the primary and secondary grouping criteria correspond to user-specified values of the selected computer profile data.” (abstract line 11, user-entered criteria)

Claim 7:

McCormack discloses the following claimed limitations:

“B. including, in a group mapping table, fields for the ranges of values of the selected computer profile data that are the primary grouping criteria, and including in those fields, in respective table records, high and low values for the ranges of the selected computer profile data;”

McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id,

filter metadata id, group id, filter type, and filter value. col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Further disclosing col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled. Hence, McCormick suggests "B. including, in a group mapping table" (group filter criteria table) ", values of the selected computer profile data that are the primary grouping criteria" (The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type (could be first grouping criteria), and filter value (could be second grouping criteria)), "for the ranges" (limit) ", and including in those fields, in respective table records, high and low values for the ranges of the selected computer profile data;" (limit scope of filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

"C. further including, in the table records, information that identifies the groups to which the computers that satisfy the primary grouping criteria are assigned;"

McCormick discloses col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Hence, McCormick suggests "C. further including, in the table records, information that identifies the groups to which the computers that satisfy the primary

grouping criteria are assigned”(using this structure, a user can establish a descriptive name for a group of devices).

“D. receiving, for inclusion in the database, computer profile data from a plurality of computers;”

McCormick discloses col. 11 lines 5-7 inventory polling process periodically polls the network, receives information about the network devices, and stores values derived from that information in a column of managed device table.. Hence, McCormick suggests “D. receiving, for inclusion in the database, computer profile data from a plurality of computers” (stores network device information)

“E. for the profile data from a given computer

Extracting the selected profile data that is utilized in the the primary grouping,

Querying the group mapping table to determine if the extracted data fall within the ranges of values that are included in the primary grouping fields in any of the table records, and

If the query results in no records, assigning the computer to a default group,

If the query results in one table record, assigning the computer to the group that is named in the record, or

If the query results in multiple table records assigning the computer to the group that is named in the record that is in a first predetermined position in the order in which the records are returned; and”

McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest for the profile data from a given computer “Extracting the selected profile data that is utilized in the the primary grouping” (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information), “Querying the group mapping table to determine if the extracted data fall within the ranges of values that are included in the primary grouping fields in any of the table records” (col. 12 lines 16-21, applies query. Col. 10 lines 50-55, limit scope of filters) and, “if the query results in one table record, assigning the computer to the group that is named in the record” (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

“F. manipulating the data from the data-base to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups “

McCormick discloses col. 16 lines 38-48, displaying a view of selected network devices. Col. 17 lines 10-15, information about the devices in group is displayed to the user. Preferably, the information is organized in a tabular format. Hence, McCormick suggests "F. manipulating the data from the database to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups" (displays group information to user).

McCormick does not explicitly disclose

"A. determining a multiple node tree structure of groups for the computers based on primary grouping criteria that correspond to ranges of values of selected computer profile data;"

And

"that are on a sub-tree with the given group as its root."

Erickson discloses figure 5 the elements within 501 disclose a multiple node tree structure of groups for computers. Further disclosing col. 2 lines 10-11, when executed upon a selected node, the file management system of the present invention applies the actions and variables. Hence, Erickson suggests "A. determining a multiple node tree structure of groups for the computers" (figure 5 elements within 501) "based on primary grouping criteria that correspond to ranges of values of selected computer profile data" (arranged such that they are based on actions (a value) and variables (another value). Hence range of values.). And "a sub-tree with the given group as its root" (figure 5).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure of figure 5 the elements within 501 disclose a multiple node tree structure, where a selected node, the file management system of the present invention applies the actions and variables to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 8:

McCormack discloses the following claimed limitations:

“Including, in the table, fields that correspond to a range of values for computer profile data that are selected as secondary grouping criteria to assign the computers to groups for profile data reporting, and including in the fields in respective table records high and low values for the secondary grouping computer profile data of interest, and”

McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value. col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Further disclosing col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled and Col. 17 lines 10-15, information about the devices in group is displayed to the

user. Hence, McCormick suggests “Including, in the table, fields that correspond to a range of values for computer profile data that are selected as secondary grouping criteria to” (could be filter value and limits (range) are set for filters.) “assign the computers to groups for profile data reporting” (group is displayed to the user), and including in the fields in respective table records high and low values for the secondary grouping computer profile data of interest, and” (limits).

“For the profile data from a given computer

Further extracting data that correspond to the computer profile data selected for the secondary grouping criteria,

Further querying the table to determine if the further extracted data fall within the secondary grouping criteria ranges included in the table records, and

If the query results in one table record, assigning the computer to the group that is named in the record,

If the query results in multiple table records that include secondary low values, assigning the computer to the group that is named in the record that is in a second predetermined position in the order in which the records are returned,

If the query results in no records, assigning the computer to a default group, or

If the query results in multiple records and there are no corresponding secondary low values in the records, assigning the computer to the group that is named in the record that is in a third predetermined position in the order in which the records are returned.”

McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest for the profile data from a given computer “Extracting the selected profile data that is utilized in the second grouping profile data of interest” (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information), “Querying the table to determine if the extracted data fall within the ranges of values that are included in the primary grouping fields in any of the table records” (col. 12 lines 16-21, applies query. Col. 10 lines 50-55, limit scope of filters) and, “if the query results in one table record, assigning the computer to the group that is named in the record” (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

Claim 9:

McCormack discloses “wherein the step of querying further includes determining if the extracted data corresponds to the primary grouping criteria and a secondary low value of NULL or the empty string” (col. 10 line 41, Null filter values are possible).

Claim 10:

McCormack discloses “wherein the first predetermined position in the order of the records is the first record found and the second predetermined position in the order of records is the last record found” (col. 9 lines 50-60, col. 11 lines 18-29, figure 3 element 310. Accordingly, views are set

up in positions where no filtered values are ordered last, not that the first (row having cisco) contains all filtered values. After rows).

Claim 11:

McCormack discloses “wherein the second predetermined position in the order of the records is the first record found and the third predetermined position in the order of records is the last record found” (col. 9 lines 50-60, col. 11 lines 18-29, figure 3 element 310. Accordingly, views are set up in positions where no filtered values are ordered last, not that the first (row having cisco) contains all filtered values. After rows).

Claim 12:

A method for managing a database that contains computer profile data for a plurality of computers, the method including the steps of

“Grouping the plurality of computers in groups that are in accordance with user-specified primary grouping criteria and secondary grouping criteria that correspond to respective values of selected computer profile data;”

McCormick discloses Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value. Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Hence, McCormick

suggests "Grouping the plurality of computers in groups that are in accordance with user-specified primary grouping criteria and secondary grouping criteria" (group filter according to filters) "that correspond to respective values of selected computer profile data" (network device information)

"Manipulating the database computer profile data and producing reports that contain summaries of attributes of the computers in a given group."

McCormick discloses col. 16 lines 38-48, displaying a view of selected network devices. Col. 17 lines 10-15, information about the devices in group is displayed to the user. Preferably, the information is organized in a tabular format. Hence, suggesting "Manipulating the database data to produce summaries of attributes of the computers in a given group" (displays group information to user).

However McCormick does not explicitly disclose

"nodes of a multiple node tree" and

"and in the groups in the subtree that has the given group as its root"

Erickson discloses figure 5 the elements within 501 disclose a multiple node tree structure of groups for computers. Further disclosing col. 2 lines 10-11, when executed upon a selected node, the file management system of the present invention applies the actions and variables. Hence, Erickson suggests "A. determining a multiple node tree structure of groups for the

computers” (figure 5 elements within 501) “based on primary grouping criteria that correspond to ranges of values of selected computer profile data” (arranged such that they are based on actions (a value) and variables (another value). Hence range of values.). And “a sub-tree with the given group as its root” (figure 5).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson’s disclosure of figure 5 the elements within 501 disclose a multiple node tree structure, where a selected node, the file management system of the present invention applies the actions and variables to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 13:

McCormack discloses “wherein the step of grouping further includes re-grouping the plurality of computers in groups in accordance with different user-specified primary and secondary grouping criteria” (abstract, network devices that meet user-entered criteria).

Claim 14:

McCormack discloses “wherein the step of grouping further includes grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to computer profile data that represents selected physical locations of users” (col. 10 line 61, Geographical location).

Claim 15:

McCormack discloses “wherein the further step of grouping includes re-grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to computer profile data that represents selected structures within the underlying organization of users” (col. 10 line 62, name of individual responsible for device).

Claim 16:

McCormack discloses “wherein the step of grouping further includes grouping computers in accordance with user-specified primary and secondary criteria that utilize ranges of values for the selected computer profile data” (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 17:

McCormack discloses “ wherein the step of grouping further includes re-grouping the plurality of computers in groups in accordance with different user-specified ranges of values of the selected computer profile data” (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 18:

McCormack discloses “ wherein the respective ranges of values correspond to a selected structure within the underlying organization of users” (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 19:

McCormack discloses “ wherein the further step of grouping includes re-grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to other selected structures within the underlying organization of users” (col. 10 line 62, name of individual responsible for device).

Claim 20:

McCormick discloses the following claimed limitations:

“A. collecting means for collecting profile data for a given computer into the database;” McCormick discloses col. 11 lines 5-7 inventory polling process periodically polls the network, receives information about the network devices, and stores values derived from that information in a column of managed device table. Hence suggesting “A. collecting means for collecting profile data for a given computer into the database” (storing network device information).

“B. a profile group manager for

Grouping the computers, based on primary and secondary grouping criteria that correspond to respective values of selected computer profile data, and”

McCormick discloses Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value. Col. 12 lines 17-19, applies the query to

the database, which stores a super set of network device information. Hence, McCormick suggests "Grouping the computers, based on primary and secondary grouping criteria" (group filter according to filters) "that correspond to respective values of selected computer profile data" (network device information)

"Manipulating the data in the database to produce reports that summarize the attributes of the computers in the various groups."

McCormick discloses col. 16 lines 38-48, displaying a view of selected network devices. Col. 17 lines 10-15, information about the devices in group is displayed to the user. Preferably, the information is organized in a tabular format. Hence, suggesting "Manipulating the database data to produce summaries of attributes of the computers in a given group" (displays group information to user).

However McCormick does not explicitly disclose "into a specified tree-structure of groups".

Erickson discloses figure 5 the elements within 501 disclose a multiple node tree structure of groups for computers. Hence, Erickson suggests ""into a specified tree-structure of groups" (figure 5).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure of figure 5 the elements within 501 disclose a

multiple node tree structure to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 21:

McCormack discloses “wherein the profile group manager

Adds a group mapping table to the database, the group mapping table including a primary grouping criteria field, a secondary grouping criteria field and a group identification field with the respective table records containing primary grouping criteria and secondary grouping criteria and corresponding group information” (McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value. col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group.);

“Includes a given computer in a group by (i) extracting from the profile data the data that corresponds to the primary grouping criteria and the secondary grouping criteria,” (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information) “(ii) querying the group mapping table for records that match the extracted data, and “(col. 12 lines 16-21, applies query)”(iii) assigning a computer to a group that is specified by the group identification field in a record that is determined to match the query” (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

Response to Amendment

9. Applicant's arguments filed 10/1/07 have been fully considered but they are not persuasive. Applicant's assert the following (lettered):

A. Applicant's mainly assert that "manipulating the data from the database to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups that are on a sub-tree with the given group as its root" is not disclosed by the cited references.

In response, the examiner respectfully disagrees that the cited references do not disclose the similarly recited limitation in independent claims "manipulating the data from the database to produce reports that summarize the attributes of the computers in the groups, with each report for a given group including therein the attributes of the computers in the groups that are on a sub-tree with the given groups as its root."

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

McCormick col. 16 lines 38-48, disclosed a reporting task is executed for example, the inventory collection application is executed, and the application reaches an execution point that involves displaying a view of selected network devices. Col. 17 lines 10-15, information about the devices in group is displayed to user. Preferably, the information is organized in a tabular format. In one embodiment, the format of the view 310 shown in figure 3 is used. Accordingly, manipulating the data from the database to produce reports (col. 16 lines 38-48, displaying a view of selected network devices; col. 17 lines 10-15, information about the devices in group is displayed to user) that summarize the attributes of the computers in the groups (figure 3 element 310, view), with each report for a given group including therein the attributes of the computers in the groups (figure 3 element 311). McCormick does not explicitly disclose groups that are on a sub-tree with the given groups as its root.

Erickson discloses figure 5 the elements within 501 disclose a multiple node tree structure of groups for computers. Hence, Erickson suggests "groups that are on a sub-tree with the given groups as its root" (figure 5).

Both McCormack and Erickson display information and thus provide reports. Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure of figure 5 the elements within 501 disclose a

multiple node tree structure to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

B. Erickson teaches using the tree in an opposite direction than the current invention, to include the computer management operations actions and variables inherited from computers higher in the hierarchy, that is, the actions and variables applicable to computers in a given group and also the computers in the parents of the group.

In response, the examiner respectfully disagrees. The claims essentially state "each report for a given group including therein the attributes of the computers in the groups that are on a sub-tree with the given groups as its root". As above it was stated that each report for a given group including therein the attributes of the computers in the group was disclosed by McCormack. In particular figure 3 element 311 discloses attributes of the computers in the group. McCormack did not explicitly disclose a sub-tree with the given groups as its roots. However Erickson disclosed in figure 5 of Erickson it is shown that a sub-tree with the given groups as its root.

C. Even if a combination of Erickson and McCormick could be interpreted to somehow suggest producing reports that relate to the attributes of groups of computers, the combined teachings do

not touch or suggest a system that produces reports that summarize the attributes of a given group and the groups that are on a subtree with the given group as its root.

In response, the examiner respectfully disagrees. McCormack discloses producing reports that summarize the attributes of a given group, see figure 3 element 310. Erickson discloses groups that are on a subtree with a given group as its root, See figure 5 element 501.

D. While Erickson shows a hierarchical arrangement of computers with each computer or group of computers represented as a node in the hierarchy, each node in the hierarchy “inherits the actions and variables of its hierarchical parents”. Erickson does not even include a database.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In response, McCormack discloses a database. In response, to Erickson inherits actions and variables of its hierarchal parents. This assertion is just an added feature of McCormack. Figure 5 element 501 discloses groups that are on a subtree with a given group as its root.

Conclusion

10. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicants disclosure.

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Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924. The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

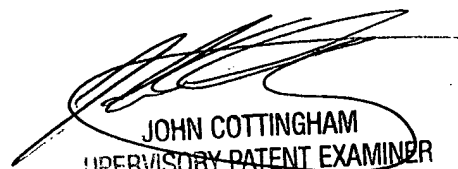
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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